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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,077	06/20/2003	William H. Fort	PCB105	7049
	7590 09/25/200 ΓUCKER, PERREAUI	EXAMINER		
55 SOUTH COMMERICAL STREET			KRAUSE, JUSTIN MITCHELL	
MANCHESTER, NH 03101			ART UNIT	PAPER NUMBER
			3656	
			MAIL DATE	DELIVERY MODE
			09/25/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/601,077	FORT ET AL.		
Examiner	Art Unit		

—The MALLING DATE of this communication appears on the cover sheet with the correspondence address — THE REPLY FILED 16 September 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of the application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places to provide the prior of the following replies: (1) an amendment, affidavit, or other evidence, which places for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time of the		JUSTIN KRAUSE	3030	
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of the application, applicant tous timely file one of the following repleas: (1) an amendment, affidant, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.1.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  a) ☑ The period for reply expires on: (1) the mailing date of the final rejection.  b) ☐ The period for reply expires on: (1) the mailing date of the final rejection.  Examiner Note: if box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TW MONTHS OF THE FIRM, REJECTION. See MPEP 706.077.  Extensions of sime may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determinary the period of catesians and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determinary the period of extensions and the corresponding amount of the fee. The appropriate extension fee hards of the filed within the own of the filed. Any reply received by the Office later has three mainths after the mailing date of the filed within two months of the date of filing the filed of th	The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ress
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no event, however, will the statulory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Exeminer Note: If to x: 1s checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TW MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f).  Extensions of time may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the Priod of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purpose of the filed of the filed fee fee for the soft of the soft of the filed fee fee fee fee fee fee fee fee fee f	a) $\square$ The period for reply expires $\underline{5}$ months from the mailing date	of the final rejection.		
have been filed is the date for purposes of determining the period of extension and the corresponding amount of the feet. The appropriate extension feet under 37 CFR 1.7(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2); set forth in (b) above, if checked. Any reply received by the Office lator than three months after the mailing date of the final rejection, even if timely filed may reduce any earned patent turn adjustment. See 37 CFR 1.70(b).  NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise the issue of new matter (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: The proposed amendments to claims 9 and 23 present new limitations not previously considered which require further consideration. (See 37 CFR 1.116 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. Applicant's reply has overcome the following rejection(s):	no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or ( MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f	ater thán SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE r).	g date of the final rejection FIRST REPLY WAS FII	n. LED WITHIN TWC
filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  (a) They raise new issues that would require further consideration and/or search (see NOTE below);  (b) They raise the issue of new matter (see NOTE below);  (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: The proposed amendments to claims 9 and 23 present new limitations not previously considered which require further consideration. (See 37 CFR 1.136 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. Applicant's reply has overcome the following rejection(s):, would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) objected to:  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because the affidiavit or other evidence filed after dealed of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidiavit or other evidence filed after overcome all rejections under	have been filed is the date for purposes of determining the period of ext under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the s set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	ension and the corresponding amount hortened statutory period for reply origi	of the fee. The appropria nally set in the final Offic	ate extension fee e action; or (2) as
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